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C O N F I D E N T I A L RANGOON 001570

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SUBJECT: ONLY 75 OF 115 POLITICAL PRISONERS RELEASED

REF: RANGOON 1510

Classified By: COM CARMEN M. MARTINEZ FOR REASON 1.5(D).

1. (C) On November 19, the State Peace and Development Council (SPDC) announced the release of 115 political prisoners, and the UN Secretary General immediately welcomed the announcement. As of December 10, however, it appears that only 75 of these 115 political prisoners have been released. NLD Secretary U Lwin told Poloff that he could account for only 50 NLD members and one student from another political party that had been released, and "maybe about 20 other releases." The NLD Political Prisoners Support Committee (PPSC), which offers legal and financial support to families of all political prisoners, can account for only 75 releases from the 115. The PPSC said it has verified this information with the International Committee for the Red Cross.

2. (C) Several of the political prisoners released after the November 19 announcement told Poloff that they were required to sign an agreement accepting the conditions of Section 401 of the penal code. Under this section, the prisoners are subject to serving the remainder of their current sentences if they are rearrested for any reason. The prisoners reported that some of their fellow prisoners refused to sign the 401 agreement and that this may have been the reason they were not released. U Lwin opined that political prisoners who are close to the end of their sentences are more willing to sign the agreement than those who have several years to go. Those with long sentences do not want the fear of an automatic long sentence hanging over them, he said. Others choose not to sign on principle. There were some political prisoners released just after talks with Aung San Suu Kyi began who were not required to sign the Section 401 agreement, but apparently all are now required to sign.
Martinez